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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,220	03/11/2004	Ruvim Goldman	U 015073-2	3490
140	7590	03/08/2005	EXAMINER	
LADAS & PARRY 26 WEST 61ST STREET NEW YORK, NY 10023			CAO, HUEDUNG X	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H-13

Office Action Summary

Application No.

10/798,220

Applicant(s)

GOLDMAN ET AL.

Examiner

Huedung X. Cao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1, 2 and 10 is/are rejected.
 7) ☒ Claim(s) 3-9, 11, 12, and 13 is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 11 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) ☐ Notice of Informal Patent Application (PTO-152)
 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: in page 1, paragraph [002] U.S. Patent 6,034,630 appears not a correct number because U.S. Patent 6,034,630 does not teach about antenna system.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over RAWLINS et al. (6,034,639) in view of MOORE et al. (6,380,898).

As per claim 1, Rawlins teaches the claimed "retractable antenna" (Rawlins, antenna 10; column 3, lines 50-56) comprising: "an outer elongate telescopic element extending along an elongate axis" (Rawlins, the elongated contact sleeve 14; column 4, lines 9-20); "an inner elongate telescopic element" (Rawlins, the elongate conductor 12) "which is slidable along said elongate axis with respect to said outer elongate telescopic element from a fully retracted position to a fully extended position" (Rawlins, the relative

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movement between the conductor 12 and the column 4 allows the antenna extended from a fully retracted position to a fully extended position; lines 54-67, and column 5, lines 8-11); and “an extended position retaining spring” (Rawlins, the enlargeable contact 26, column 4, lines 5-9) “for frictional extended position retaining engagement with said inner elongate telescopic element when said inner elongate telescopic element is in said fully extended position” (Rawlins, column 4, lines 57-61). It is noted that Rawlins does not teach that the position retaining spring is “fixedly positioned with respect to said outer elongate telescopic element” and “not frictionally extended position retaining engagement with said inner elongate telescopic element when said inner elongate telescopic element is generally in a retracted position” (Rather, Rawlins’ position retaining spring is fixedly positioned with respect to said inner (emphasis added) elongate telescopic element – figure 2A). However, Moore teaches that the position retaining spring could be “fixedly positioned with respect to said outer elongate telescopic element” (Moore, the upper feed contact 24 of the contact 14 ; column 3, lines 9-14) and “not frictionally extended position retaining engagement with said inner elongate telescopic element when said inner elongate telescopic element is generally in a retracted position” (Moore, column 3, lines 7-9; when in retracted position, the feed contact point 24 does not frictionally extended position retaining engagement with said inner elongate element represented by the galvanic contacts 18 and 22 – figure 2). It would have been obvious in view of the teaching of Moore, to configure Rawlins’ antenna as claimed by attaching the retaining spring on the outer elongated element, instead of the inner elongated element, because when the retaining spring is fixedly

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positioned on the outer element, the signals can be selectively feed into the inner conductor 12 for radiating (Moore, column 3, lines 16-24).

Claim 2 adds into claim 1 "said outer elongate telescopic element is formed with a throughgoing bore which extends along said elongate axis from a base end to an opposite end" (Rawlins, the throughgoing bore 14 – figure 2B).

Claim 10 adds into claim 1 "said extended position retaining spring is a unitary element" (Rawlins, the contact 26 is a unitary element; column 4, lines 5-9).

Allowable Subject Matter

4. Claims 3-9 and 11-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is an examiner's statement of reasons for allowance:

The allowable feature in claim 3 and its dependent claims 4-9 is "wherein said throughgoing bore is formed to have a first inner diameter D1 at a first elongate portion thereof which extends along a majority of its length extending from said base end and a second inner diameter D2 which is greater than said first inner diameter D1, at a second elongate portion thereof near but spaced from said opposite end".

The allowable feature in claim 11 and its dependent claims 12-3 is "said extended position retaining spring has a generally cylindrical configuration defining an elongate gap extending along the length thereof, a pair of incomplete end rings and

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generally elongate portions extending between said rings, said elongate portions being separated from each other by elongate slots and being slightly bent inwardly so as to together define a waist at a frictional engagement location therealong, at which inner facing surfaces of said generally elongate portions define, at rest, an imaginary circle having an inner diameter D4."

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Davidson et al. (US 6008765) teach an antenna assembly comprises an elongate antenna element mounted in a support and movable between a retracted position and an extended position.

Johnson et al. (US 6573868) teach a retractable antenna system is disclosed that enable electronic devices to engage in wireless communication.

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Inquires

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huedung Cao whose telephone number is (571) 272-1939.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Huedung Cao
Patent Examiner